

**WEDNESDAY, FEBRUARY 14, 1996**

**SIXTY-SECOND LEGISLATIVE DAY**

The House met at 2:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Willie Williams, First Baptist Church, Allardt, Tennessee.

Representative Windle led the House in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The roll call was taken with the following results:

Present ..... 97

Representatives present were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Hicks, Huskey, Jackson, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

**PRESENT IN CHAMBER**

Representative(s) Bragg was/were recorded as being present in the Chamber.

**SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Bill No. 1684:** Rep(s). Jones, S. and DeBerry, L. as prime sponsor(s).

**House Bill No. 2036:** Rep(s). Bell as prime sponsor(s).

**House Bill No. 2365:** Rep(s). Stulce as prime sponsor(s).

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**House Bill No. 2595:** Rep(s). West as prime sponsor(s).

**House Bill No. 2753:** Rep(s). Herron as prime sponsor(s).

**House Bill No. 2758:** Rep(s). Jones, S. as prime sponsor(s).

**House Bill No. 2776:** Rep(s). Jones, S. as prime sponsor(s).

**House Bill No. 2925:** Rep(s). Duer, Brown, DeBerry, L. and DeBerry, J. as prime sponsor(s).

**House Bill No. 2986:** Rep(s). Jackson as prime sponsor(s).

**SPONSORS REMOVED**

On motion, Rep(s). White was/were removed as sponsor(s) of **House Bill No. 2591**.

**MESSAGE FROM THE SENATE**

**February 13, 1996**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1977, 2036, 2075, 2084, 2122, 2124, 2200, 2270, 2286, 2399, 2401, 2510, 2548 and 2734; all passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**\*Senate Bill No. 1977 --** Alcoholic Beverages - Redefines "premises" to include historic district plus four blocks relative to sale of alcoholic beverages. Amends TCA Section 57-4. by \*Cohen.

**\*Senate Bill No. 2036 --** Public Funds and Financing - Authorizes Morgan County to have six-member budget committee rather than five-member committee Amends TCA Section 5-21-105. by \*O'Brien.

**Senate Bill No. 2075 --** Traffic Safety - Requires fine of at least \$250 for citation for speeding in reduced speed zone when employee of department of transportation or construction workers present. Amends TCA Section 55-8-153 and Section 55-8-152. by \*Jordan, \*Haun, \*Holcomb, \*Crowe, \*Gilbert, \*Koella, \*Miller J, \*Fowler, \*Elsea, \*Rice, \*Hamilton, \*Carter, \*Person, \*Leatherwood.

**\*Senate Bill No. 2084 --** Insurance Companies, Agents, Brokers - Authorizes claims paid by administrator from funds collected for insurer to be paid on checks or electronic transfers of insurer in addition to payment on drafts as currently authorized. Amends TCA Section 56-6-407. by \*Crutchfield, \*Womack.

**\*Senate Bill No. 2122 --** Municipal Government - Requires all purchases made with state street aid funds to be in conformity with public advertisement and competitive

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bidding law applicable to each particular municipality. Amends TCA Section 54-4-204. by \*Womack.

**\*Senate Bill No. 2124 --** Local Education Agency - Directs local boards of education to annually select at least four high school students to serve as advisory, non-voting members of board; two to be in academic curriculum track and two vocational track; students to serve without compensation but may be reimbursed for reasonable and necessary expenses. Amends TCA Title 49, Chapter 2. by \*Harper.

**\*Senate Bill No. 2200 --** Municipal Government - Grants cities power by ordinance to employ collection agency to collect fines and costs assessed by municipal court if not collected within 60 days of due date. Amends TCA Section 40-24-105. by \*Hamilton.

**\*Senate Bill No. 2270 --** Alcoholic Beverages - Permits imposition of civil penalty for beer violation by city or county prior to hearing; repeals old transitional provisions concerning permits and signs. Amends TCA Section 57-5-108(a)(2). by \*Hamilton.

**\*Senate Bill No. 2286 --** Corporations, Not for Profit - Specifies that dues paid to non-profit association that offers insurance cannot be considered premium for insurance. Amends TCA Section 56-8-116. by \*Rochelle.

**\*Senate Bill No. 2399 --** Alcoholic Beverages - Redefines "aquarium" for purposes of consumption of alcoholic beverages. Amends TCA Title 57, Chapter 4. by \*Crutchfield.

**Senate Bill No. 2401 --** Education - Removes private and parochial schools from attendance and truancy report requirements for children less than seven years of age. Amends TCA Section 49-6-3007. by \*Fowler.

**\*Senate Bill No. 2510 --** Osteopathy - Revises requirements and criteria for issuing licenses as well as training requirements for osteopathic physicians. Amends TCA Title 63, Chapter 9, Part 1. by \*Crowe.

**Senate Bill No. 2548 --** Motor Vehicles - Provides that state regulation of ambulances and emergency medical vehicles operated by emergency medical services licensed by department of health shall not be regulated by department of safety except in matters of motor vehicle titling and registration. Amends TCA Title 55, Chapter 8. by \*Burks.

**\*Senate Bill No. 2734 --** Highway Signs - "Bicentennial Mall," I-40, I-65 and I-265, Davidson County. by \*Harper.

**REPORT OF CHIEF ENGROSSING CLERK  
February 13, 1996**

The following bill(s) was/were transmitted to the Governor for his action: House Bill(s) No(s). 2056, 2178, 2249, 2322 and 2412; also, House Joint Resolution(s) No(s). 416, 417, 418 and 419.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE GOVERNOR**  
**February 13, 1996**

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 2032, with his approval.

HARDY MAYS, Counsel to the Governor.

**MESSAGE FROM THE SENATE**  
**February 13, 1996**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1085 and 2068; also, Senate Joint Resolution(s) No(s). 319, 320, 321, 322, 324 and 327; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**INTRODUCTION OF RESOLUTIONS**

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

**House Joint Resolution No. 431** -- General Assembly, Studies - Continues special joint committee (HJR 89) to study women's health issues for two years. by \*Chumney, \*Eckles, \*Purcell, \*Naifeh, \*DeBerry L, \*Ridgeway, \*Byrd, \*Jackson, \*Eckles.

Health & Human Resources Committee

**RESOLUTIONS**

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for February 15, 1996:

**House Resolution No. 171** -- Memorials, Death - Colonel Jimmy Corbett. by \*Herron.

**House Resolution No. 172** -- Memorials, Personal Achievement - Brandon Thomas Everhart. by \*Kerr, \*Clabough.

**House Resolution No. 173** -- Memorials, Academic Achievement - Carrie M. Tuttle, Who's Who. by \*Williams (Union).

**House Resolution No. 174** -- Memorials, Academic Achievement - Sarah Jean Partin, Who's Who. by \*Williams (Union).

**House Resolution No. 175** -- Memorials, Academic Achievement - Jo-Anna Mallicoat, Who's Who. by \*Williams (Union).

**House Resolution No. 176** -- Memorials, Retirement - Judge L. Clure Morton. by \*Hargrove.

**House Resolution No. 177** -- Memorials, Academic Achievement - Amy Overton, Who's Who. by \*Williams (Union).

**House Joint Resolution No. 432** -- Memorials, Personal Achievement - Eboni Star Gill, Memphis/Shelby County spelling bee winner. by \*DeBerry L.

### **INTRODUCTION OF BILLS**

On motion, the following bills were introduced and passed first consideration:

**House Bill No. 3242** -- Bruceton - Subject to local approval, increases terms of mayor and aldermen from two to four years; allows vice mayor to be independently chosen by board without regard to votes received in general election. Amends Chapter 325 of the Private Acts of 1980. by \*Herron.

**House Bill No. 3243** -- Greene County - Subject to local approval, authorizes \$5.00 litigation tax. by \*Whitson, \*Davis.

**House Bill No. 3244** -- Oliver Springs - Subject to local approval, creates new municipal election date to coincide with other municipal elections in county. Amends Chapter 247 of the Acts of 1905; as amended. by \*Cantrell.

### **SENATE BILLS TRANSMITTED**

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

**\*Senate Bill No. 1977** -- Alcoholic Beverages - Redefines "premises" to include historic district plus four blocks relative to sale of alcoholic beverages. Amends TCA Section 57-4. by \*Cohen.

**\*Senate Bill No. 2036** -- Public Funds and Financing - Authorizes Morgan County to have six-member budget committee rather than five-member committee. Amends TCA Section 5-21-105. by \*O'Brien.

**Senate Bill No. 2075** -- Traffic Safety - Requires fine of at least \$250 for citation for speeding in reduced speed zone when employee of department of transportation or construction workers present. Amends TCA Section 55-8-153 and Section 55-8-152. by \*Jordan, \*Haun, \*Holcomb, \*Crowe, \*Gilbert, \*Koella, \*Miller J, \*Fowler, \*Elsea, \*Rice, \*Hamilton, \*Carter, \*Person, \*Leatherwood.

**\*Senate Bill No. 2084** -- Insurance Companies, Agents, Brokers - Authorizes claims paid by administrator from funds collected for insurer to be paid on checks or electronic transfers of insurer in addition to payment on drafts as currently authorized. Amends TCA Section 56-6-407. by \*Crutchfield, \*Womack.

**\*Senate Bill No. 2122** -- Municipal Government - Requires all purchases made with state street aid funds to be in conformity with public advertisement and competitive bidding law applicable to each particular municipality. Amends TCA Section 54-4-204. by \*Womack.

**\*Senate Bill No. 2124** -- Local Education Agency - Directs local boards of education to annually select at least four high school students to serve as advisory, non-voting members of board; two to be in academic curriculum track and two vocational track; students to serve without compensation but may be reimbursed for reasonable and necessary expenses. Amends TCA Title 49, Chapter 2. by \*Harper.

**\*Senate Bill No. 2200** -- Municipal Government - Grants cities power by ordinance to employ collection agency to collect fines and costs assessed by municipal court if not collected within 60 days of due date. Amends TCA Section 40-24-105. by \*Hamilton.

**\*Senate Bill No. 2270** -- Alcoholic Beverages - Permits imposition of civil penalty for beer violation by city or county prior to hearing; repeals old transitional provisions concerning permits and signs. Amends TCA Section 57-5-108(a)(2). by \*Hamilton.

**\*Senate Bill No. 2286** -- Corporations, Not for Profit - Specifies that dues paid to non-profit association that offers insurance cannot be considered premium for insurance. Amends TCA Section 56-8-116. by \*Rochelle.

**\*Senate Bill No. 2399** -- Alcoholic Beverages - Redefines "aquarium" for purposes of consumption of alcoholic beverages. Amends TCA Title 57, Chapter 4. by \*Crutchfield.

**Senate Bill No. 2401** -- Education - Removes private and parochial schools from attendance and truancy report requirements for children less than seven years of age. Amends TCA Section 49-6-3007. by \*Fowler.

**\*Senate Bill No. 2510** -- Osteopathy - Revises requirements and criteria for issuing licenses as well as training requirements for osteopathic physicians. Amends TCA Title 63, Chapter 9, Part 1. by \*Crowe.

**Senate Bill No. 2548** -- Motor Vehicles - Provides that state regulation of ambulances and emergency medical vehicles operated by emergency medical services licensed by department of health shall not be regulated by department of safety except in matters of motor vehicle titling and registration. Amends TCA Title 55, Chapter 8. by \*Burks.

**\*Senate Bill No. 2734** -- Highway Signs - "Bicentennial Mall," I-40, I-65 and I-265, Davidson County. by \*Harper.

### HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

**House Bill No. 3240** -- Bristol -- Local Bills Held on House Desk

**House Bill No. 3241** -- Bristol -- Local Bills Held on House Desk

### REPORTS FROM STANDING COMMITTEES

The committees that met on **February 13, 1996**, reported the following:

#### COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar for February 15, 1996**: House Bill(s) No(s). 2036, 2034, 2066, 1976, 1985, 2040 and House Joint Resolution No. 371.

The Committee set the following bill(s) and/or resolution(s) on the **Consent Calendar for February 21, 1996**: House Bill(s) No(s). 2033, 1978, 1979 and 2227.

#### COMMERCE

The Commerce Committee recommends for passage: House Joint Resolution(s) No(s). 394; also House Bill(s) No(s). 2161 and 2184 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

#### CONSUMER AND EMPLOYEE AFFAIRS

The Consumer and Employee Affairs Committee recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2021. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

#### EDUCATION

The Education Committee recommended for passage: House Bill(s) No(s). 2699 and 2045. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2392. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

**FINANCE, WAYS AND MEANS**

The Finance, Ways and Means Committee recommended for passage: House Bill(s) No(s). 1946; also House Bill(s) No(s). 1684 and 2318 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

**GOVERNMENT OPERATIONS**

The Government Operations Committee recommended for passage: House Bill(s) No(s). 2157, 2154, 2461, 2466, 2991, 2993, 2992, 2988, and 392. Under the rules, each was transmitted to the Calendar and Rules Committee.

After review, it further recommended that House Bill(s) No(s). 3060 be referred to the Conservation Committee and House Bill(s) No(s). 2595 be referred to the Health & Human Resources Committee.

**HEALTH AND HUMAN RESOURCES**

The Health and Human Resources Committee recommended for passage: House Bill(s) No(s). 2287 and 2053; also House Bill(s) No(s). 1950 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

**STATE AND LOCAL GOVERNMENT**

The State and Local Government Committee recommended for passage: House Bill(s) No(s). 2169. Under the rules, each was transmitted to the Calendar and Rules Committee.

**REPORTS FROM STANDING COMMITTEES**

The committees that met on **February 14, 1996**, reported the following:

**CONSERVATION AND ENVIRONMENT**

The Conservation and Environment Committee recommended for passage: House Bill(s) No(s). 2428. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee House Bill(s) No(s). 2388 and 1835 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

**JUDICIARY**

The Judiciary Committee recommended for passage: House Bill(s) No(s). 2278, 2236, 2238, 2427, 2255 and 1839; also House Bill(s) No(s). 2043, 1995, 1947 and 2052 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.



It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2274, 2177 and 2174; also House Bill(s) No(s). 2403 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

### TRANSPORTATION

The Transportation Committee recommended for passage: House Bill(s) No(s). 2386, 2582, 2411, 2305, 2829, 2426, 2197, 2235, 2306 and House Joint Resolution(s) No(s). 407; also House Bill(s) No(s). 2027 and 2331 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

### CONSENT CALENDAR

**House Resolution No. 170** -- Memorials, Personal Occasion - Rev. and Mrs. Ben Knisley, 60th wedding anniversary. by \*Boyer.

**House Joint Resolution No. 430** -- Memorials, Recognition and Thanks - Aeroquip, outstanding safety performance. by \*Winningham.

**Senate Joint Resolution No. 329**-- Memorials, Recognition and Thanks - Authur Holmon, Lifetime Achievement Award recipient. by \*Dixon.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes .....	99
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odum, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 99.

A motion to reconsider was tabled.

REGULAR CALENDAR

**\*House Bill No. 1949** -- Dams - Exempts from provisions of Safe Dams Act any dam constructed with private funds and located on creek in Loudon County. Amends TCA Title 69, Chapter 12. by \*Gunnels. (SB2318 by \*Miller J)

Rep. Gunnels moved that House Bill No. 1949 be passed on third and final consideration.

Rep. Napier moved adoption of Conservation and Environment Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 1949 by inserting the language "prior to the effective date of this act" between the language "with private funds" and "and is located" in the amendatory section in the original Section 1.

On motion, Amendment No. 1 was adopted.

Rep. Gunnels moved that **House Bill No. 1949**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	99
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odum, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 99.

A motion to reconsider was tabled.

**House Bill No. 1227** -- AIDS - Directs commissioner of health to devise and implement public education and prevention campaign to combat rise of HIV and AIDS among African American children, youth, and young adults. Amends TCA Title 68, Chapter 1, Part 1. by \*Towns, \*Brown, \*Bowers, \*Miller L. (\*SB677 by \*Dixon)

Rep. Towns moved that House Bill No. 1227 be passed on third and final consideration.

Rep. Towns moved adoption of Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 1227 by deleting the first sentence of Section 1 and substituting instead the following:

The commissioner of health shall devise and implement a comprehensive, culturally sensitive, continuing public education and prevention campaign to specifically combat and control the alarming rise of human immunodeficiency virus and acquired immunodeficiency syndrome among children, youth, and young adults. The commissioner's continuing public education and prevention campaign shall be designed to be sensitive to ethnic diversity in order to be relevant for its target population.

AND FURTHER AMEND by deleting from the last sentence of Section 1 the date "January 1, 1996" and substituting instead the date "January 1, 1997".

On motion, Amendment No. 1 was adopted.

Rep. Towns moved that **House Bill No. 1227**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 98  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

**\*House Joint Resolution No. 161** -- Highway Signs - "Walter Dotson 'Dot' Carter Memorial Highway" segment of S.R. 304, Meigs County. by \*Newton.

Rep. Newton moved that **House Joint Resolution No. 161** be adopted, which motion prevailed by the following vote:

Ayes..... 97  
Noes 1

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odum, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Tindell, Towns, Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

Representatives voting no were: Turner (Hamilton) -- 1.

A motion to reconsider was tabled.

## **UNFINISHED BUSINESS**

### **BILLS WITHDRAWN**

On motion of Rep. Patton, **House Bill No. 2335** was recalled from the Finance, Ways & Means Committee and withdrawn from the House.

On motion of Rep. Davidson, **House Bill No. 2276** was recalled from the Education Committee and withdrawn from the House.

### **RULES SUSPENDED**

Rep. Purcell moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 433 out of order, which motion prevailed.

**House Joint Resolution No. 433** -- General Assembly, Adjournment, Recess - Recesses General Assembly for President's Day. by \*Purcell.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Purcell, the resolution was adopted.

A motion to reconsider was tabled.

**SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

- House Bill No. 1107 :** Rep(s). Ritchie as prime sponsor(s).
- House Bill No. 2169:** Rep(s). West as prime sponsor(s).
- House Bill No. 2247:** Rep(s). Miller as prime sponsor(s).
- House Bill No. 2310:** Rep(s). Brown as prime sponsor(s).
- House Bill No. 2311:** Rep(s). Brown as prime sponsor(s).
- House Bill No. 2312:** Rep(s). Brown as prime sponsor(s).
- House Bill No. 2313:** Rep(s). Brown as prime sponsor(s).
- House Bill No. 2314:** Rep(s). Brown as prime sponsor(s).
- House Bill No. 2403:** Rep(s). Stamps and Buck as prime sponsor(s).
- House Bill No. 2410:** Rep(s). Brown as prime sponsor(s).
- House Bill No. 2427:** Rep(s). Ramsey as prime sponsor(s).
- House Bill No. 2504:** Rep(s). Miller as prime sponsor(s).
- House Bill No. 2505:** Rep(s). Miller as prime sponsor(s).
- House Bill No. 2506:** Rep(s). Miller as prime sponsor(s).
- House Bill No. 2538:** Rep(s). Odom as prime sponsor(s).
- House Bill No. 2781:** Rep(s). Kerr and Clabough as prime sponsor(s).
- House Bill No. 2788:** Rep(s). Rhinehart, Armstrong, Whitson, Kent and Cole(Carter) as prime sponsor(s).
- House Bill No. 2829:** Rep(s). DeBerry, L. as prime sponsor(s).
- House Bill No. 2851:** Rep(s). Brown as prime sponsor(s).
- House Bill No. 2853:** Rep(s). Brown as prime sponsor(s).
- House Bill No. 2976:** Rep(s). Pruitt as prime sponsor(s).
- House Bill No. 3236:** Rep(s). McKee and Walley as prime sponsor(s).

**SPONSORS REMOVED**

On motion, Rep(s). Wood was/were removed as sponsor(s) of **House Bill No. 168**.

On motion, Rep(s). Miller was/were removed as sponsor(s) of **House Bill No. 2283**.

**MESSAGE FROM THE GOVERNOR**

**February 14, 1996**

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 416, 417, 418 and 419, with his approval.

HARDY MAYS, Counsel to the Governor.

**MESSAGE FROM THE SENATE**

**February 14, 1996**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 329; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**ENGROSSED BILLS**

**February 14, 1996**

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 1227 and 1949; also, House Joint Resolution(s) No(s). 161, 430 and 433.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**February 14, 1996**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2732; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE**

**February 14, 1996**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 325 and 326; both adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**Senate Joint Resolution No. 325 --** Memorials, Professional Achievement - Dr. Bobby Jones, gospel music excellence. by \*Harper.

**WEDNESDAY, FEBRUARY 14, 1996 -- SIXTY-SECOND LEGISLATIVE DAY**

**Senate Joint Resolution No. 326** -- Memorials, Public Service - Prayer Temple Church of God in Christ, 40th anniversary. by \*Harper.

**MESSAGE FROM THE SENATE  
February 14, 1996**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1958, 1981, 2008, 2048, 2055, 2623 and 2856; all passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**\*Senate Bill No. 1958** -- Traffic Safety - Creates Class C misdemeanor offense of child under 12 riding in back bed of pickup truck on state, county or city roads, except for certain parades or agricultural purposes. Amends TCA Title 55, Chapter 8, Part 1. by \*Cooper, \*Gilbert, \*Jordan.

**Senate Bill No. 1981** -- Public Records - Authorizes cities and counties to establish and operate electronic access to public records on contractual, fee-based basis. Amends TCA Title 10, Chapter 7. by \*Ford J.

**\*Senate Bill No. 2008** -- Sunset Laws - Board of paroles, June 30, 2002. Amends TCA. by \*Haynes.

**Senate Bill No. 2048** -- Historical Sites - Provides for erection of historical plaque at Routt-Wells Cemetery in Lincoln County. by \*Cooper.

**Senate Bill No. 2055** -- Firearms and Ammunition - Permits chief of police conducting background investigation on person attempting to purchase handgun to collect same fee from applicant that sheriff now collects for conducting such an investigation. Amends TCA Section 39-17-1316. by \*Wright.

**\*Senate Bill No. 2623** -- Sunset Laws - Domestic violence state coordinating council, June 30, 1997. Amends TCA Title 4, Chapter 29 and Title 38, Chapter 4. by \*Haynes.

**Senate Bill No. 2856** -- Sunset Laws - Adds post conviction defender commission to sunset provisions, June 30, 1997. Amends TCA Title 4, Chapter 29 and Title 40, Chapter 30. by \*Haynes.

**SIGNED  
February 14, 1996**

The Speaker signed the following: Senate Bill(s) No(s). 1992, 1993, 2019 and 2021.

**SIGNED**  
**February 14, 1996**

The Speaker signed the following: Senate Bill(s) No(s). 1085 and 2068; also, Senate Joint Resolution(s) No(s). 319, 320, 321, 322, 324 and 327.

**SIGNED**  
**February 14, 1996**

The Speaker signed the following: Senate Joint Resolution(s) No(s). 329.

**ROLL CALL**

The roll call was taken with the following results:

Present ..... 98

Representatives present were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jackson, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

**RECESS MOTION**

Representative Purcell moved that, pursuant to House Joint Resolution No. 409, the House stand in a brief recess for the joint convention to hear the State of the Judiciary Address, at the conclusion of which the House will stand in recess until 9:00 a.m. on Thursday, February 15, 1996, which motion prevailed.